

1fw

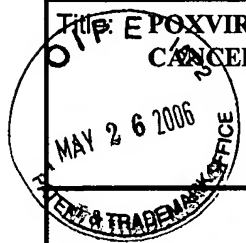
**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
19610

In Re Application Of: **Michael Paul Brown, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/569,157	February 21, 2006	Unassigned	23389	Unassigned	Unassigned

Title: **EPOXVIRUS VECTOR ENCODING PROSTATE SPECIFIC ANTIGENS FOR TREATMENT OF PROSTATE CANCER**



Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

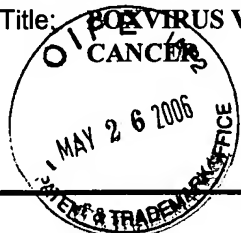
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Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/569,157	February 21, 2006	Unassigned	23389	Unassigned	Unassigned

Title: **BOV VIRUS VECTOR ENCODING PROSTATE SPECIFIC ANTIGENS FOR TREATMENT OF PROSTATE**



**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
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- ☐ Payment by credit card. Form PTO-2038 is attached.

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(Date)

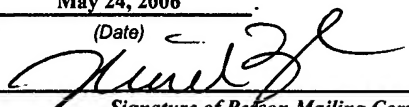
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Signature

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**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

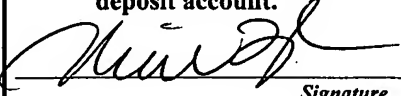
May 24, 2006  
(Date)

  
Signature of Person Mailing Correspondence

Xiaochun Zhu  
Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

Dated: May 24, 2006

  
Signature

Xiaochun Zhu  
Registration No. 56,311  
Scully, Scott, Murphy & Presser, P. C.  
400 Garden City Plaza-STE 300  
Garden City, New York 11530  
(516) 742-4343

CC: XZ:ab



**UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Michael Paul Brown, et al.

**Examiner:** Unassigned

**Serial No.:** 10/569,157

**Art Unit:** Unassigned

**Filed:** February 21, 2006

**Docket:** 19610

**For:** POXVIRUS VECTOR ENCODING  
PROSTATE SPECIFIC ANTIGENS  
FOR TREATMENT OF PROSTATE  
CANCER

**Dated:** May 24, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 24, 2006

  
Xiaochun Zhu

1. International Publication No. WO 02/40059 A2, published May 23, 2002;
2. International Publication No. WO 98/46769, published October 22, 1998;
3. L. Fong, et al., "Induction of Tissue-Specific Autoimmune Prostatitis with Prostatic Acid Phosphatase Immunization", *The Journal of Immunology*, 159(7): 3113-3117 (1997);
4. International Publication No. WO 98/04727, published February 5, 1998;
5. International Publication No. WO 97/03203, published January 30, 1997;
6. International Publication No. WO 03/047506 A2, published June 12, 2003;
7. International Publication No. WO 01/49317 A2, published July 12, 2001;
8. C. Hwang, et al., "Prospects and limitations of recombinant poxviruses for prostate cancer immunotherapy", *Current Opinion in Molecular Therapeutics*, 1(4): 471-479 (1999);
9. L. Fong, et al., "Dendritic Cell-Based Xenoantigen Vaccination for Prostate Cancer Immunotherapy", *The Journal of Immunology*, 167: 7150-7156 (2001); and
10. United States Patent Application Publication No. 2004/142890 A, published July 22, 2004 to McNeel.

The references were cited in an International Search Report dated October 29, 2004 issued from the International Searching Authority. Applicants are submitting copies of Reference Numbers 1-9. In accordance with the waiver of 37 C.F.R. § 1.98 (a)(2)(i) in effect as of June 30, 2003, Applicants are not required to submit a copy of the above-cited U.S. Patent Publication reference. A copy of the Search Report was submitted by Applicants on February 21, 2006. The relevance of the above-identified references has been described in the Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,

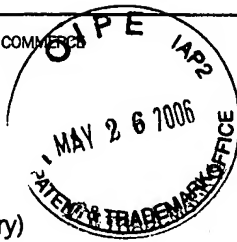
A handwritten signature in black ink, appearing to read 'Xiaochun Zhu', written in a cursive style.

Xiaochun Zhu  
Registration No. 56,311

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343  
XZ:ab

# **LIST OF PRIOR ART CITED BY APPLICANT**

(Use several sheets if necessary)



**Atty. Docket No.**  
19610

**Serial No.**  
10/569,157

**Applicants**

Michael Paul Brown, et al.

**Filing Date**  
February 21, 2006

**Group**  
Unassigned

## **U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (If appropriate)
	10.	U.S. Pub. No. 2004/142890 A	7/22/2004	McNeel			

		Foreign Document Number	Date	Country	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	1.	WO 02/40059 A2	5/23/2002	PCT				
	2.	WO 98/46769	10/22/1998	PCT				
	4.	WO 98/04727	2/5/1998	PCT				
	5.	WO 97/03203	1/30/1997	PCT				
	6.	WO 03/047506 A2	6/12/2001	PCT				
	7.	WO 01/49317 A2	7/12/2001	PCT				

## **OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

	3.	L. Fong, et al., "Induction of Tissue-Specific Autoimmune Prostatitis with Prostatic Acid Phosphatase Immunization", <i>The Journal of Immunology</i> , 159(7): 3113-3117 (1997)
	8.	C. Hwang, et al., "Prospects and limitations of recombinant poxviruses for prostate cancer immunotherapy", <i>Current Opinion in Molecular Therapeutics</i> , 1(4): 471-479 (1999)
	9.	L. Fong, et al., "Dendritic Cell-Based Xenoantigen Vaccination for Prostate Cancer Immunotherapy", <i>The Journal of Immunology</i> , 167: 7150-7156 (2001)

**EXAMINER**

**DATE CONSIDERED**

\* **EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.